

Message Text

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ACTION NEA-10

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AMEMBASSY NEW DELHI
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CINCPAC

C O N F I D E N T I A L ISLAMABAD 0568

CINCPAC FOR POLAD

E.O. 11652: GDS
TAGS: PINT, PK
SUBJECT: GOP ESTABLISHES SPECIAL COURTS

1. THE GOP HAS ESTABLISHED TWELVE SPECIAL COURTS TO TRY
FORMER ELECTIVE OFFICE HOLDERS ACCUSED OF "MISCONDUCT IN
OFFICE". ONE OF THE COURTS-EACH COMPOSED OF ONE JUDGE
FROM THE PROVINCIAL HIGH COURTS- WILL HEAR CASES AGAINST
A PERSON "WHO HAS HELD THE OFFICE OF PRESIDENT OR PRIME
MINISTER" (READ Z.A. BHUTTO).

2. THE FORMATION OF THE SPECIAL COURTS IS BE LATEST
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ATTEMPT BY CHIEF MARTIAL LAW ADMINISTRATOR (CMLA)
GENERAL ZIA TO SPEED UP THE ACCOUNTABILITY PROCESS.
THIS TEP, HOWEVER, WILL GARNER MORE PUBLIC SUPPORT
THAN PAST ATTEMPTS WHICH HAVE INCLUDED PROPOSALS FOR
MILITARY TRIBUNALS. THE COURTS ARE ESTABLISHED BY
PRESIDENTIAL ORDINANCE AND ARE ENTIRELY WITHIN THE
PAKISTANI CIVILIAN JUDICIAL SYSTEM. THEIR FINDINGS CAN

BE APPEALED, WITHIN THIRTY DAYS, TO THE SUPREME COURT.
ZIA, IN EFFECT, HAS SECONDED VARIOUS HIGH COURT JUSTICES
TO WORK FULL TIME, WITHIN THE ACCEPTED GUIDELINES AND
PRACTICES OF THE CIVIL LEGAL SYSTEM, ON CASES INVOLVING
MALFEASANCE BY FORMER ELECTED OFFICE HOLDERS.

3. WE UNDERSTAND THAT ALTHOUGH THE MAJORITY OF THOSE WHO
WILL BE TRIED WERE ELECTED ON PPP TICKETS, THE INVESTIGATIVE
NET WILL ALSO DRAW IN SOME FORMER OPPOSITION POLITICIANS
WHOSE ENRICHMENT AT PUBLIC EXPENSE EXCEEDED THE BOUNDS
OF SUBCONTINENTAL PROPRIETY. MANY OF THE CASES AGAINST
PPP REPRESENTATIVES ARE BASED ON THE EXTENSIVE FILES,
NOW IN MARTIAL LAW HANDS, WHICH BHUTTO KEPT ON HIS
COLLEAGUE TO WORK FULL TIME, WITHIN THE ACCEPTED GUIDELINES AND
PRACTICES OF THE CIVIL LEGAL SYSTEM, ON CASES INVOLVING
MALFEASANCE BY FORMER ELECTED OFFICE HOLDERS.

3. WE UNDERSTAND THAT ALTHOUGH THE MAJORITY OF THOSE WHO
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PPP REPRESENTATIVES ARE BASED ON THE EXTENSIVE FILES,
NOW IN MARTIAL LAW HANDS, WHICH BHUTTO KEPT ON HIS
COLLEAGUES TO HELP ENSURE THEIR LOYALTY.

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